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EXAMINER
RILEY, MARCUS T

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/053,765	CHANG ET AL.
Office Action Summary	Examiner	Art Unit	
	MARCUS T. RILEY	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>22 December 2009</u>.
2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-59</u> is/are pending in the application.
   4a) Of the above claim(s) <u>1-28 and 34-48</u> is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>29-33 and 49-59</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>01/18/2002</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date <u>05/08/2009</u>.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is responsive to applicant's remarks received on December 22, 2009.

Claims 29-33 & 39-59 remain pending. Claims 1-28 & 34-38 have been cancelled.

Response to Arguments

2. Applicant's arguments with respect to claim 29-56, have been considered but are moot in

view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4. **Claims 29-33 & 31-59** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Anderson et al. (US 7,272,788 B2 hereinafter, Anderson '788) in combination with Taniguchi et

al. (US 6,801,962 B2 hereinafter, Taniguchi '962) as applied to claim 29 above, and further in

view of Iwazaki (US 2002/0038612 A1 hereinafter, Iwazaki '612).

Regarding claim 29; Anderson '788 discloses a method of transferring digital data

content from an information apparatus (Fig. 1, Client 12 i.e. Client device 12 refers to an electronic device capable

of capturing and/or displaying digital images and communicating wireless over a network. Column 3, lines 22-47) to a

wireless output device (Fig. 1, Photo-services site 14 i.e. The photo-service sites 14 are sites on the Internet that provide

different types of digital imaging services such as an image hosting service or image printing services. Column 3, lines 22-47)

by short range wireless communication the information apparatus including a wireless

communication unit (i.e. The client devices 12 communicate over the Internet via a wireless, or wired connection. Column

3, lines 29-33) for short range wireless communication with one or more output devices, an interface

for interacting with a user (Fig. 1 i.e. The client devices 12 connect to the Internet via a service provider 16, which may

include a wireless carrier and/or an Internet service provider (ISP). Once connected, the client devices 12 either uploads the

digital images to the online photo-service sites 14 or receives digital images from the photo-service sites 14. Column 3, lines 41-

47);

the wireless output device being at least one of an audio device, a projection device, and a

display device other than a printing device the method comprising: (i.e. The photo-service site 14

encompasses media types such as movies, sound annotations. Column 4, line 65 thru column 5, line 2);

downloading at the information apparatus the digital data content from a server (Fig. 1,

Gateway Server 20) over a network to the information apparatus (Fig. 1 i.e. The client devices 12 either uploads

the digital images to the online photo-service sites 14 or receives digital images from the photo-service sites 14. Column 3, lines

41-47 and column 2, lines 15-17);

opening a wireless communication channel at the wireless communication unit of the

information apparatus (i.e. The client devices 12 communicate over the Internet via a wireless, or wired connection.

Column 3, lines 29-33);

conforming at the information apparatus at least part of the digital data content into an

output data, the output data being related to the digital data content and including a format,

protocol, or language that is acceptable for transferring to the selected wireless output device for

output and transferring the output data over the wireless connection to the selected wireless

output device for output (i.e. Client devices 12 communicate data in different formats to be transferred to photo-service

sites 14. Some client devices 12 communicate data in HTML, Wireless Markup Language (WML) or Handheld Device Markup

Language (HDML). Column 3, lines 22-42);

Anderson '788 does not expressly disclose searching wirelessly over the wireless

communication channel for one or more wireless output device available for wireless connection;

receiving at the information apparatus over the wireless communication channel a device

dependent attribute that corresponds to each wireless output device found in the wireless search,

and includes at least one of a name, a device entity, a device type, a device address number, a

security code, and a device profile corresponding to each wireless device; selecting at the

information apparatus a wireless output device discovered in the search based at least in part on

the received device dependent attributes received over the wireless communication channel from

each of the wireless output devices; the selected wireless output device being at least one of an

audio device, a projection device, and a display device, other than a printing device.

Taniguchi '962 discloses searching wirelessly over the wireless communication channel

(Fig. 8, Channel Paths 80 & 81) for one or more wireless output device (Fig. 8, Output Devices 74) available

for wireless connection (Fig. 8, Output Device Search Means 73 i.e. The Output Device Search Means 73 searches

wirelessly for output device 74. Column 12, line 57 thru column 13 line 3; and Column 16, lines 24-37).

receiving at the information apparatus over the wireless communication channel a device

dependent attribute that corresponds to each wireless output device found in the wireless search,

and includes at least one of a name, a device entity, a device type, a device address number, a

security code, and a device profile corresponding to each wireless device (Fig. 14, Step S231 i.e. At Step

S231, the output device 74 is detected based on the output device information such as the device name, in accordance with search

conditions. Column 16, lines 8-18 and Column 14, lines 1-26);

selecting at the information apparatus (Fig. 14, Step S83) a wireless output device discovered

in the search based at least in part on the received device dependent attributes received over the

wireless communication channel from each of the wireless output devices (Fig. 14, Step S83 i.e. At Step

S83, output device 74 is selected from the detected output devices 74 based on the search criteria. Column 14, line 66 thru

column 15, line 11);

the selected wireless output device being at least one of an audio device, a projection

device, and a display device, other than a printing device; (i.e. The output device 74 may be a display device

having a display mode instead of a print mode. Column 12, lines 30-56).

Anderson '788 and Taniguchi '962 are combinable because they are from same field of

endeavor of network systems (Taniguchi '962 at Fig. 1)

At the time of the invention, it would have been obvious to a person of ordinary skill in

the art to modify the network system as taught by Anderson '788 by adding selecting and

searching for a wireless output device as taught by Taniguchi '962. The motivation for doing so

would have been because it advantageous to provide a more efficient wireless connection over a

network to an output device. Therefore, it would have been obvious to combine Anderson '788

with Taniguchi '962 to obtain the invention as specified in claim 29.

Anderson '788 as modified does not expressly disclose establishing at the information

apparatus a short range wireless connection with the selected wireless output device the wireless

connection not including an external print server being external to the information apparatus and

the output device.

Iwazaki '612 discloses establishing at the information apparatus (Fig. 1, Mobile Phone 7) a

short range wireless connection with the selected wireless output device (Fig. 1, Copy Machine 1) the

wireless connection not including an external print server being external to the information

apparatus and the output device (Fig. 3 Steps S1 and S2 i.e. At step S1, the copy machine 1 is connected by radio to the

mobile phone 7 via the radio connecting section 14 of Fig. 2. At Step S2, the mobile phone 7 transfers a received E-mail to the

copy machine 1 by radio. Page 2, Paragraph 0030);

Anderson '788 and Iwazaki '612 are combinable because they are from same field of

endeavor of network systems (Iwazaki '612 at Fig. 1)

At the time of the invention, it would have been obvious to a person of ordinary skill in

the art to modify the network system as taught by Anderson '788 by adding establishing at the

information apparatus a short range wireless connection with the selected wireless output device

as taught by Iwazaki '612. The motivation for doing so would have been because it advantageous

to provide a faster and direct connection in order to save time by not having to connect thru a

server. Therefore, it would have been obvious to combine Anderson '788 with Iwazaki '612 to

obtain the invention as specified in claim 29.

Regarding claim 30; Taniguchi '962 discloses after selecting a wireless output device:

obtaining a security key from the user (i.e. A password is used as a security after the wireless output device is

selected. Column 17, lines 30-43);

sending the security key over the wireless communication channel for authentication (i.e.

A password is checked to see whether it is identical with the registered password. Column 17, lines 30-43);

receiving over the wireless communication channel at least an indication related to a

successful security key authentication and utilizing the authenticated security key to establish

restricted wireless access to the selected wireless output device (i.e. If the received password is identical

with the registered password, image data is sent to an output device. If not identical, the image data is not sent to the output

device, thereby preventing image data from being leaked to the third party. Column 17, lines 30-43)

Regarding claim 31; Taniguchi '962 discloses a method of restricted wireless transfer of digital content from a mobile wireless information apparatus to a wireless output device by short range wireless communication (i.e. If the received password is identical with the registered password, image data is sent to an output device. If not identical, the image data is not sent to the output device, thereby preventing image data from being leaked to the third party. Column 17, lines 30-43)

the content being previously stored locally at the mobile wireless information apparatus or accessible over the internet to the mobile wireless information apparatus or downloadable from a server over a network to the mobile wireless information apparatus wherein the mobile wireless information apparatus includes a wireless communication unit for wireless communication with one or more wireless devices, and an interface for interacting with a user, the interface including at least a touch sensitive screen, the method comprising: (Fig. 1 Mobile Phone 8, i.e. Image data creation information is sent to the portable terminal device and stored locally. Mobile Phone 8 has a user interface as illustrated in Fig. 1. Column 17, lines 30-43 and Column 5, lines 10-32).

receiving over the interface at least an indication related to a selected content for output (Fig. 1 Wireless Phone Wave receiving section. Column 6, lines 6-14);

opening a wireless communication channel at the wireless communication unit of the information apparatus (Fig. 1 Wireless Phone Wave receiving section or Wireless Phone interface. Column 6, lines 6-14);

obtaining over a wireless communication channel at least one attribute corresponding to one or more wireless output device including one or more of a name, a device type, a device identity, a device address, and an device profile related to each of the wireless device (Fig. 14, Step S231 i.e. At Step S231, the output device 74 is detected based on the output device information such as the device name, in accordance with search conditions. Column 16, lines 8-18 and Column 14, lines 1-26);

selecting a wireless output device based at least in part on the received attributes obtained over the wireless communication channel (Fig. 14, Step S83 i.e. At Step S83, output device 74 is selected from the detected output devices 74 based on the search criteria. Column 14, line 66 thru column 15, line 11);

obtaining a security key from the user for accessing the selected wireless output device at the mobile wireless information apparatus (i.e. A password is used as a security after the wireless output device is selected. Column 17, lines 30-43);

sending at the mobile wireless information apparatus the security key over the wireless communication channel for authenticating access of the mobile wireless information apparatus to the select wireless output device (i.e. A password is checked to see whether it is identical with the registered password. If the received password is identical with the registered password, image data is sent to an output device. If not identical, the image data is not sent to the output device, thereby preventing image data from being leaked to the third party. Column 17, lines 30-43);

receiving over the wireless communication channel at least an indication related to a successful security key authentication, and in dependence of a successful security key authentication establishing a restricted wireless connection between the mobile wireless information apparatus and the selected wireless output device, (i.e. If the received password is identical with the registered password, image data is sent to an output device. If not identical, the image data is not sent to the output device, thereby preventing image data from being leaked to the third party. Column 17, lines 30-43).

Taniguchi '962 does not expressly disclose discloses conforming at the mobile wireless information apparatus at least part of the selected content into an output data, the output data being related to the selected content and including a format, protocol, or language that is acceptable for transferring to the selected wireless output device, and transferring the output data over the restricted wireless communication connection from the mobile wireless information apparatus to the selected wireless output device.

Anderson '788 discloses conforming at the mobile wireless information apparatus at least part of the selected content into an output data, the output data being related to the selected content and including a format, protocol, or language that is acceptable for transferring to the selected wireless output device, and transferring the output data over the restricted wireless communication connection from the mobile wireless information apparatus to the selected wireless output device (i.e. Client devices 12 communicate data in different formats to be transferred to photo-service sites 14. Some client devices 12 communicate data in HTML, Wireless Markup Language (WML) or Handheld Device Markup Language (HDML). Column 3, lines 22-42).

Taniguchi '962 and Anderson '788 are combinable because they are from same field of endeavor of network systems (Taniguchi '962 at Fig. 1)

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the network system as taught by Taniguchi '962 by adding part of the selected content into an output data as taught by Anderson '788. The motivation for doing so would have been because it advantageous to provide output data in a familiar language. Therefore, it would have been obvious to combine Taniguchi '962 with Anderson '788 to obtain the invention as specified in claim 31.

Regarding claim 32; Taniguchi '962 discloses where the said security key comprises at least one of a user name, password, ID number, signatures, security keys (physical or digital), biometrics, fingerprints, and a voice (i.e. A password is used as a security after the wireless output device is selected. Column 17, lines 30-43).

Regarding claims 33 & 55; Claims 33 & 55 contains substantially the same subject matter as claim 30. Therefore, claims 33 & 55 are rejected on the same grounds as claim 30.

Regarding claim 39; Anderson '788 discloses wherein the wireless output device includes an audio device (i.e. The photo-service site 14 encompasses media types such as movies, sound annotations. Column 4, line 65 thru column 5, line 2);

Regarding claim 40; Anderson '788 discloses wherein the information apparatus includes desktop computer, a laptop computer, a networked computer, a palmtop computer, a hand-held computer, a personal digital assistant, an Internet enabled mobile phone, a smart phone, an Internet appliance or a web pad (Fig. 1 Client 12 i.e. Client device 12 refers to PC, PDA or Cell Phone and etc. Column 3, lines 22-41).

Regarding claim 41; Anderson '788 discloses wherein the information apparatus further includes a client application with one or more functionalities that include one or more internet browsing, outputting content, content selection, content creation, and content editing (Fig. 1, internet. i.e. The client devices 12 are browser-based and may browse the internet. Column 3, lines 22-41).

Regarding claim 42; Anderson '788 discloses wherein conforming at the information apparatus at least part of the digital content into an output data includes using at least in part the said device dependent attribute received over the wireless communication channel from the selected wireless output device (i.e. Client devices 12 communicate data in different formats to be transferred to photo-service sites 14. Some client devices 12 communicate data in HTML, Wireless Markup Language (WML) or Handheld Device Markup Language (HDML). Column 3, lines 22-42);

Regarding claim 43; Anderson '788 discloses wherein the wireless communication channel is compatible to a Bluetooth wireless protocol or one that is compatible to IEEE802.11

protocol (See Publication section for IEEE publications. It is obvious to one of ordinary skill in the art and it is inferred that the wireless communication unit is compatible to IEEE standard protocol.).

Regarding claim 44; Anderson '788 discloses wherein the device profile includes information related to at least one of a quality of service, a billing, a pricing, security, identification and compatibility associated with the wireless device (i.e. The image gateway 18 is provided with a database 32 for supporting the aggregation of data and services across the various photo-service sites 14. This enables the image gateway 18 to support a single login for a particular client device 12 and enables data sharing, such as billing information, across photo-service sites 14. Column 4, lines 40-49).

Regarding claim 45; Taniguchi '962 discloses discovering over the wireless communication channel one or more wireless output devices available for wireless connection (Fig. 14, Step S83 i.e. At Step S83, output device 74 is selected from the detected output devices 74 based on the search criteria. Column 14, line 66 thru column 15, line 11).

Regarding claims 46 & 58; Claims 46 & 58 contains substantially the same subject matter as claim 42. Therefore, claims 46 & 58 are rejected on the same grounds as claim 42.

Regarding claim 47; Anderson '788 discloses wherein the wireless communication between the information apparatus and the output devices includes the information apparatus communicating with the output device via a wireless output controller associated with the wireless output device. (Fig. 1, Services Providers A & B i.e. Service providers A & B control the communication between Client devices 12 and photo-service sites 14. Column 3, lines 22-42).

Regarding claim 48; Taniguchi '962 discloses obtaining over the wireless communication channel at least one attribute includes obtaining over the wireless communication channel at least one attribute from a wireless output controller associated with one or more wireless output devices (Fig. 14, Step S231 i.e. At Step S231, the output device 74 is detected based on

the output device information such as the device name, in accordance with search conditions. Column 16, lines 8-18 and Column

14, lines 1-26);

Regarding claim 49; Claims 49 contains substantially the same subject matter as claim

44. Therefore, claims 49 is rejected on the same grounds as claim 44.

Regarding claims 50 & 59; Independent claims 50 & 59 contain substantially the same

subject matter as independent claim 29. Therefore, claims 50 & 59 are rejected on the same

grounds as claim 29.

Regarding claim 51; Claims 51 contains substantially the same subject matter as claim

40. Therefore, claims 51 is rejected on the same grounds as claim 40.

Regarding claim 52; Claim 52 contains substantially the same subject matter as claim

41. Therefore, claim 52 is rejected on the same grounds as claim 41.

Regarding claim 53; Taniguchi '962 discloses wherein the client application further

includes a audio or video content selection, creation or editing applications for selecting, creating

or editing of the audio content at the information apparatus (Fig. 8, Client 71 i.e. Fig. 8 shows a data output

system wherein the system includes a client 71 who creates image data. Column 12, lines 13-15).

Regarding claim 54; Anderson '788 discloses wherein the information apparatus further

includes a memory component and the audio or video content is stored locally in the memory

component of the information apparatuses, and the digital audio or video client application

accessing the content locally for sending to the output device over the wireless communication

channel (Fig. 1, Client devices 12 i.e. Client device 12 refers to an electronic device capable of capturing and/or displaying

digital images and communicating over a network, such as the Internet. Such electronic devices include devices that store digital images. Column 3, lines 22-25, 30-32 and 41-47).

Regarding claim 56; Taniguchi '962 discloses software for obtaining authentication information at the information apparatus for accessing the selected output wireless device, and software for sending at least part of the authentication information over the wireless communication channel for authenticating access to the select wireless output device. (i.e. If the received password is identical with the registered password, image data is sent to an output device. If not identical, the image data is not sent to the output device, thereby preventing image data from being leaked to the third party. Column 17, lines 30-43).

Regarding claim 57; Taniguchi '962 discloses software for conforming at the mobile phone information apparatus at least part of the content into an output data includes at least a compression operation (i.e. Client devices 12 communicate data in different formats to be transferred to photo-service sites 14. Some client devices 12 communicate data in HTML, Wireless Markup Language (WML) or Handheld Device Markup Language (HDML). Column 3, lines 22-42).

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.   Accordingly, **THIS ACTION IS MADE FINAL**.   See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCUS T. RILEY whose telephone number is (571)270-1581. The examiner can normally be reached on Monday - Friday, 7:30-5:00, est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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